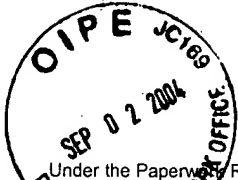


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PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)
77305/39

First named inventor: Edward Baranoff

Application No.: 09/916,178

Art Unit: 3727

Filed: July 26, 2001

Examiner:

Title: PONY HOLDER DISPLAY PACKAGE

Attention: Office of Petitions
Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306

RECEIVED
SEP 8 2004
OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 665 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Response to Notice and Substitute Formal Drawings (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/07/2004 09072004 00000019 09916178
665.00 DP
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

September 2, 2004

Date

Telephone

Number: 212-336-8056

Signature

J. David Dainow

Typed or printed name

90 Park Avenue

Address

New York, NY 10016

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as ~~first class~~ *express* mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

September 2, 2004

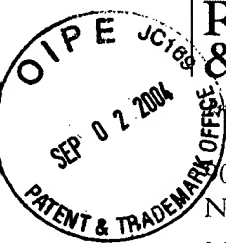
Date

Signature

Stephen McConnaughey

Express Mail Label No. EL 996375660 US

Typed or printed name of person signing certificate



**AMSTER
ROTHSTEIN
& EBENSTEIN LLP**

Intellectual Property Law

10 Park Avenue
New York NY 10016

Main 212 336 8000

Fax 212 336 8001

Web www.arelaw.com

Partners

Morton Amster
Jesse Rothstein (1934-2003)
Daniel Ebenstein
Philip H. Gottfried
Michael J. Berger
Neil M. Zipkin
Anthony F. Lo Cicero
Kenneth P. George
Abraham Kasdan, Ph.D.
Ira E. Silfin
Chester Rothstein
Craig J. Arnold
Kenneth M. Bernstein

Senior Counsel

Charles R. Macedo
Mark J. Rosenberg
Nancy M. Dodderidge

Of Counsel

Jerry D. Dainow

Associates

Neal L. Rosenberg
Patrick Boland*
Trebzor Lloyd
Joseph M. Casino
John S. Economou

Michael V. Solomita
Holly Pekowsky
Michael P. Kenney
Marion P. Metelski
Max Vern
Dana R. Metes
Karl J. Kolbinger
Brian A. Comack
Richard S. Mandaro
Marc J. Jason
Elie H. Gendloff, Ph.D.
David Mitnick
Charles W. Rath
David A. Boag

Karen J. Bernstein
Matthieu Hausig
Jung S. Hahn
Reiko Kaji
Alan D. Miller, Ph.D.
Hsin-Hsin (Ginger) Liu
John Lepore
Norajean McCaffrey
Benjamin M. Halpern*

* Not admitted in New York

September 2, 2004

Via Express Mail

Jerry D. Dainow

Direct 212 336 8056

E-mail jdainow@arelaw.com

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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"Express Mail" mailing label No.	EL 996375660 US
Date of Deposit:	September 2, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	Stephen M. McCaffrey
Signature:	

Re: U.S. Patent Application No. 09/916,178
Title: PONY HOLDER DISPLAY PACKAGE
Inventor: Edward Baranoff
Our File: 77305/39

Sir:

Enclosed herewith please find a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b), including:

1. Petition for Revival of an Application (PTO/SB/64) - 2 pages
2. Copy of Notice of Abandonment - 1 page
3. Response to Notice of Incomplete Reply - 1 page
4. Copy of Notice of Incomplete Reply - 1 page
5. Drawings - 1 sheet
6. Copy of original application: specification, claims, abstract, declaration/power of attorney and filing receipt - 13 pages
7. Check for \$665 to cover petition fee
8. Postcard Receipt

September 2, 2004


Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

If any fee associated with the present submission is due, please charge our Deposit Account No.01-1785, or credit any overpayment to said deposit account. A duplicate copy of this letter is enclosed.

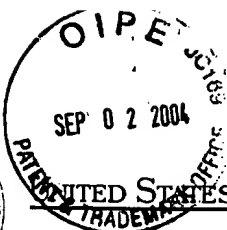
Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 336-8000

Dated: New York, New York
September 2, 2004

By: 
J. David Dainow
Registration No. 22,959

JDD/smc
Encls.



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

77305/39

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,178	07/26/2001	Edward Baranoff	602936.1019

CONFIRMATION NO. 7114

FORMALITIES LETTER



OC000000007706659

 Steinberg & Raskin, P.C.
 15th Floor
 1140 Avenue of the Americas
 New York, NY 10036-5803

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 OFFICE OF PETITIONS

Date Mailed: 03/25/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 02/28/2002 to the Notice to File Missing Parts (Notice) mailed 09/04/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

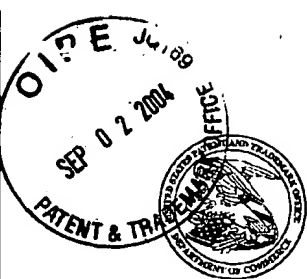
The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/916,178	07/26/2001	Edward Baranoff	602936.1019

CONFIRMATION NO. 7114

ABANDONMENT/TERMINATION
LETTER

OC000000011250764

Steinberg & Raskin, P.C.
 15th Floor
 1140 Avenue of the Americas
 New York, NY 10036-5803

RECEIVED

SEP 8 2004

Date Mailed: 11/13/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/04/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

M. Young
 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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STEINBERG & RASKIN, P.C.



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SEP - 8 2004
OFFICE OF PETITIONS
DISPLAY PACKAGE FOR HAIR ACCESSORIES

Attorney Docket No.: 602936.1019

SEP - 8

OFFICE OF PETITIONS

FIELD OF THE INVENTION

The present invention relates to merchandise display packaging and more particularly
5 to point-of-sale display cards for hair accessories such as ring-shaped ponytail holders.

BACKGROUND OF THE INVENTION

A wide variety of merchandising and display cards are known for displaying various
hair accessories for sale in retail establishments. In selecting a display card there are
10 numerous objectives which must be considered simultaneously. Obviously, the product
should be highly visible or as visible as possible and displayed in an attractive manner which
is flattering to the product. Also, it is an object to display numerous products with one card,
particularly where they are sold in bundles of two three or even up to ten units per card.
Furthermore, it is important that the articles for sale be attached with adequate security to the
15 card so that they can not be easily stolen or separated from the card.

Furthermore, it is well known that a critical factor in display of products of this type
in a retail store is tied to the amount of rack space granted to the company providing the
goods. These goods are displayed on racks and it is an objective to display and to store the
maximum number of goods for a given amount of rack space while still providing a most
20 attractive display. A further objective is to display the company name on the package along
with the promotional illustrations and other information and indicia. This becomes a
problem when the product is bulky or of a shape which does not easily become attached to
display cards. This is particularly true with three dimensional hair accessories such as
ponytail holders which are ring-shaped and therefore occupy a considerable space. It is
25 preferable not to display them in a flat orientation on the card where the plane of the ring is
parallel to the plane of the card, because that would result in the minimum number of articles
for a given card space.

With certain known display cards, a wire or string is put through the center of a plurality of ring-shaped ponytail holders which are arranged to lie on the face of the card. The ring-shaped ponytail holders then become inclined against each other in a bulky arrangement. Typically, in the prior art, these ring-shaped products are contained on a string or wire with the result that they lie against the card, basically on the front surface of the card, since this is the almost universal way to display carded products. The card which may be rectangular or other shape and has a hole at the top for hanging on a peg and the advertising and promotional indicia is situated immediately around and below the hole in the card. In this manner the product when it is bulky extends forward of the card by a considerable distance and prevents having too many cards in a row, one in front of the other because each one is so thick due to the combined thickness of the card plus the product situated in front of the card.

One prior art merchandising package shown by Patent No. 6,073,758 is a fold-over sheet having holes at the top and a neck portion at the bottom. In this situation the display article is a bracelet which extends through a hole in said neck portion, and thus the bracelet is situated askew with the plane of the card.

In another prior art display package system shown in U.S. Patent No. 5,193,676, glove articles are hung in a manner generally parallel to the plane of the card, in contrast to the new invention where the articles are perpendicular to the plane of the card.

A still further prior art display device is shown in U.S. Patent No. 5,988,373 which is similar to the previously described prior art except that the card has an H shape instead of a rectangular shape.

OBJECTS AND SUMMARY OF THE INVENTION

It is an object of this invention to provide an improved merchandise display card particularly for ponytail holders which allows securing of the products to the card without having them situated in front of the card. It is a more specific object to secure ring-shaped

ponytail holders by a wire or string which maintains them below the card which is folded to form two panels with a fold at the bottom through which the wire or string extends. It is a still further object of this invention that the ponytail holders be oriented such that they are aligned with a common central axis running through all of them, and that said common axis
5 extends parallel to the plane of the folded card. It is a further object that the ponytail holders be secured by a plastic wire device which extends through the centers of the ponytail holders and along the sleeve of the card in a non-releasable manner unless it is broken or cut. A still further object is to provide a display card which is a single sheet or strip folded in half, thereby defining at the bottom a folded sleeve and providing at the top two similar edges as
10 a top surface. It is thus an object of the invention for the ponytail holders to be situated where the plane of each ring is essentially perpendicular to the plane of the folded card from which they are hung.

The new invention differs from and is an improvement on prior art display cards, such as that of U.S. Patent No. 6,073,758 described above, in numerous basic concepts. One
15 is that the ponytail holders are totally below the display card instead of extending through part of it. Secondly, the new display card allows attachment of a substantial plurality of products instead of just one. Thirdly, the new invention allows and requires the products to be essentially perpendicular to the plane of the card whereas the bracelet in the prior art is neither perpendicular nor parallel to the plane of the card but is askew thereto. Furthermore,
20 the card allows for the display of only a single bracelet which in this case is shown to be even larger in diameter than the card. Thus, it is believed that this particular prior art reference in no way anticipates or renders obvious the new invention herein.

Additional objects of the invention will be apparent from the following description of the preferred embodiment thereof taken in conjunction with the accompanying non-
25 limiting drawings.

DESCRIPTION OF THE DRAWINGS

Fig. 1 is a top front perspective view of the new merchandise display package including both the display card and the products secured to the card; and

Fig. 2 is a sectional view taken along line 2-2 of Fig. 1 of the display card including
5 the product attached thereto.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Fig. 1 shows the new merchandise display package 10 comprising the display card 12, the plastic wire 14 and the plurality of ring-shaped ponytail holders 16. The display card 12 is comprised of a single sheet of cardboard or plastic folded to have a front panel 18 and a rear panel 20 joined by the folded neck portion 22 which provides a sleeve or tunnel through which extends said plastic wire 14. Near the top edge of the front and rear panels 18 and 20 are apertures 24 which extends through both front and rear panels 18 and 20 and are used to hang the new display package from a hook shown in Fig. 2 as hook or peg 26 that
15 extends from a wall or rack 28. The plastic wire is commonly used because it has permanent bumps along its length and a coupling at one end through which the bumps can be pulled somewhat like a one way-belt buckle. This device does not allow the wire with bumps to be withdrawn from the coupling unless it is physically broken or cut with a scissor, knife or other appropriate tool. Thus, this is considered a reasonably safe way to secure products for
20 display in a retail establishment. Obviously, this will not prevent a shoplifter from taking the whole card, but it will prevent such person from removing the products from the card.

It is of particular note that the plastic wire creates a loop of its own where the plane of the loop is generally parallel and coincident with the plane of the folded card. More particularly, the ponytail holders are aligned to hang below the plastic wire in an orientation
25 where the plane of each ponytail ring is generally perpendicular to the plane of the display card. Thus, a maximum number of ponytail holders can be hung and displayed in an attractive manner from a single card. Furthermore, the ponytail holders are displayed below

the card as opposed to being in front of the sheet portion of the card. Thus, a maximum number of product can be displayed with the card without bulkiness of situating the products in front of the card. This display is particularly neat and attractive and concise and allows the maximum amount of visibility to the card itself without having products occupying space on the front surface of the card. Also, this new display card and product arrangement allows for a type of vertical stacking of products and cards instead of the usual horizontal orientation of the product in front of a card.

The sleeve portion 22 has a width somewhat less in length than the full width of the card in this particular embodiment, so that the plastic wire when it extends beyond the sleeve and makes a loop in the lateral direction to go around and through the ponytail holders does not extend beyond the maximum width of the card. This helps keep the overall product in a neat and concise arrangement.

When the plastic wire is secured through the ponytail holders in a one preferred manner, these ponytail holders are aligned to support each other in their orientation which is perpendicular to the plane of the card and they are held snugly by the plastic wire to remain in such attractive and efficient orientation.

The display card can be made of plastic sheet material or cardboard or even metal if desired or metalized plastic. Also the plastic wire can have substitutes so long as the ring-shaped ponytail holders remain oriented generally as seen below the sleeve or collar portion of the folded strip.

This card is inexpensive and simple to make and assemble and thus is highly desirable in this very competitive retail market of low mark-up products such as ponytail holders.

Although the invention has been described with respect to a preferred embodiment, it is understood that changes and modifications can be made which are within the full intended scope of the invention as defined by the appended claims.

CLAIMS

- 1 1. A display package for generally ring-shaped ponytail holders comprising:
 - 2 a. a fold-over card formed from a single elongated strip folded at the bottom to
3 define front and rear panels joined by a neck at the bottom, each of said panels having near
4 its top edge a through hole, said holes becoming aligned when said panels are folded to
5 overlie each other,
 - 6 b. a wire formed as a closed loop which defines a plane, said loop having top
7 and bottom parts, the top part lying in said neck, said bottom part situated below said neck,
8 said plane of said loop being generally coplanar with said plane of said panels, and
 - 9 c. a plurality of ring-shaped ponytail holders, said wire extending through the
10 bores of said ponytail holders such that they hang below said fold-over card, each ring-
11 shaped ponytail holder defining a plane situated generally perpendicular to said panels.
- 1 2. A display package according to claim 1 wherein said panels when folded to
2 overlie each other are generally parallel and define a vertical plane, with said ponytail holders
3 each defining a plane generally perpendicular to said vertical plane.
- 1 3. A display package according to claim 1 wherein said ponytail holders hang
2 with their planes generally perpendicular to the plane of said wire.
- 1 4. A display package according to claim 1 wherein said ponytail holders are
2 positioned below said folded panels and generally centered therewith.
- 1 5. A display package according to claim 1 wherein said apertures through said
2 front and rear panels are situated midway of the length of said panels from left to right.

1 6. A display package according to claim 1 wherein said wire comprises a plastic
2 wire having bumps situated along its length and a latch through which said bumps are
3 extendable in one direction and not removable in the other direction.

1 7. A display package according to claim 1 wherein said first and rear panels have
2 generally the same length and height.

1 8. A display package according to claim 1 wherein said strip comprises
2 plastic sheet.

1 9. A display package according to claim 1 wherein said strip comprises
2 cardboard.

1 10. A display package according to claim 1 wherein said panels lie generally
2 flat against each other.

1 11. A display package for generally ring-shaped ponytail holders comprising:
2 a. a fold-over card formed from a single elongated strip folded at the bottom
3 to define front and rear panels joined by a neck at the bottom, each of said panels having
4 near its top edge a through hole, said holes becoming aligned when said panels are folded
5 to overlie each other,
6 b. a wire-like element formed as a closed loop which defines a plane, said
7 loop having top and bottom parts, the top part lying in said neck, said bottom part situated
8 below said neck, said plane of said loop being generally coplanar with said plane of said
9 panels, and

10 c. a plurality of ring-shaped ponytail holders, said wire extending through the
11 bores of said ponytail holders such that they hang below said fold-over card, each ring-
12 shaped ponytail holder defining a plane situated generally perpendicular to said panels.

ABSTRACT

A display package for generally ring-shaped ponytail holders formed of:

- 5 a. a fold-over card formed from a single elongated strip folded at the bottom to define front and rear panels joined by a neck at the bottom, each of the panels having near its top edge a through hole, the holes becoming aligned when the panels are folded to overlie each other,
- b. a wire formed as a closed loop which defines a plane, the loop having top and bottom parts, the top part lying in the neck, said bottom part situated below the neck, the plane of the loop being generally coplanar with the plane of the panels, and
- 10 c. a plurality of ring-shaped ponytail holders, the wire extending through the bores of the ponytail holders such that they hang below the fold-over card, each ring-shaped ponytail holder defining a plane situated generally perpendicular to the panels.



DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

- ☐ Declaration submitted with initial filing
☒ Declaration submitted after initial filing (surcharge (37 CFR 1.6(e) required))

First Named Inventor: Edward BARANOFF

COMPLETE IF KNOWN:

Application Number: 09/916,178

Filing Date: July 26, 2001

Group Art Unit: 3237

Examiner Name: Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PONY HOLDER DISPLAY PACKAGE

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YY) July 26, 2001 as United States Application Number 09/916,178 and was amended on (MM/DD/YY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability of this application as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YY)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YY)	Parent Patent Number (if applicable)

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer Number 21831

Direct all correspondence to:

☒ Customer Number 21831

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

Given Name (first and middle [if any]) Family Name or Surname

Edward BARANOFF

Inventor's Signature *Edward Baranoff* Date 10/31/01

Residence: City New York State NY Country USA Citizenship USA

Post Office Address 39 W. 37th ST

NY, NY 10018



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
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Steinberg & Raskin, P.C.
15th Floor
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New York, NY 10036-5803

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Applicant(s)

Edward Baranoff, New York, NY;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/31/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

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Preliminary Class

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**AMSTER
ROTHSTEIN
& EBENSTEIN LLP**

Intellectual Property Law

90 Park Avenue
New York NY 10016

Main 212 336 8000

Fax 212 336 8001

Web www.arelaw.com

Partners

Morton Amster
Jesse Rothstein (1934-2003)
Daniel Ebenstein
Philip H. Gottfried
Michael J. Berger
Neil M. Zipkin
Anthony F. Lo Cicero
Kenneth P. George
Abraham Kasdan, Ph.D.
Ira E. Silfin
Chester Rothstein
Craig J. Arnold
Kenneth M. Bernstein

Senior Counsel

Charles R. Macedo
Mark J. Rosenberg
Nancy M. Dodderidge

Of Counsel

Jerry D. Dainow

Associates

Neal L. Rosenberg
Patrick Boland*
Trebzor Lloyd
Joseph M. Casino
John S. Economou

Michael V. Solomita
Holly Pekowsky
Michael P. Kenney
Marion P. Metelski
Max Vern
Dana R. Metes
Karl J. Kolbinger
Brian A. Comack
Richard S. Mandaro
Marc J. Jason
Elie H. Gendloff, Ph.D.
David Mitnick
Charles W. Rath
David A. Boag

Karen J. Bernstein
Matthieu Hausig
Jung S. Hahn
Reiko Kaji
Alan D. Miller, Ph.D.
Hsin-Hsin (Ginger) Liu
John Lepore
Norajean McCaffrey
Benjamin M. Halpern*

* Not admitted in New York

September 2, 2004

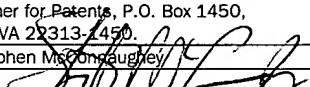
Via Express Mail

Jerry D. Dainow

Direct 212 336 8056

E-mail jdainow@arelaw.com

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P.O. Box 1450
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Name:	Stephen McConaughy
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Re: U.S. Patent Application No. 09/916,178
Title: PONY HOLDER DISPLAY PACKAGE
Inventor: Edward Baranoff
Our File: 77305/39

Sir:

Enclosed herewith please find a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b), including:

1. Petition for Revival of an Application (PTO/SB/64) - 2 pages
2. Copy of Notice of Abandonment - 1 page
3. Response to Notice of Incomplete Reply - 1 page
4. Copy of Notice of Incomplete Reply - 1 page
5. Drawings - 1 sheet
6. Copy of original application: specification, claims, abstract, declaration/power of attorney and filing receipt - 13 pages
7. Check for \$665 to cover petition fee
8. Postcard Receipt

September 2, 2004

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

If any fee associated with the present submission is due, please charge our Deposit Account No.01-1785, or credit any overpayment to said deposit account. A duplicate copy of this letter is enclosed.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 336-8000

Dated: New York, New York
September 2, 2004

By:



J. David Dainow

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